

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

Claims 11 and 16 are amended presently. Claims 1-10, 15, 17, and 18 are cancelled. New Claims 21-27 are added.

Applicant requests that the examiner enter these amendments and new claims because no new matter has been added. Support for the amendments to the claims can be found in the specification, e.g., at Paragraphs [0028]-[0030].

With the foregoing amendments, claims 11-14, 16, and 19-27 are pending in this application.

**Declaration**

The Examiner is thanked for sua sponte waiving the express language requirement for 37 CFR §1.63(b)(3). In relation to such waiver, Applicants affirm their duty to disclose information, in accordance with 37 CFR §1.56.

**Rejection under 35 USC § 112, second paragraph**

Responsive to the rejection of claims 1, 3-5, 11-14, 16, 19 and 20 under 35 USC §112, second paragraph, Applicants have amended claims 11 and 16 and have cancelled claims 1-10. In particular, Applicants have amended claims 11 and 16 so as to account for any number of open cells and corresponding closed cells. Applicants submit that pending claims 11-14, 16, 19 and 20 are now clear and definite and, thus, are in allowable form.

**Rejection under 35 USC § 103(a)**

Responsive to the rejection of claims 11-14 and 16 under 35 USC §103(a) as being unpatentable over Niemic et al. (US 6,411,567), Applicants have amended claims 11 and 16. As such, Applicants submit that claims 11-14 and 16 are now in condition for

allowance.

Claim 11, as amended, recites in part:

a conductive protective layer mated adjacent to said first card such that said protective layer spans across each said open side; and  
a second card comprising at least one closed cell and electronic circuitry with a dielectric overlay, wherein said dielectric overlay is printed on said second card and spans at least a portion of said electronic circuitry;  
wherein said second card is mated to said first card such that said dielectric overlay is adjacent to said protective layer ... (Emphasis added.)

Applicant respectfully submits that *Niemiec et al.* does not teach all of the features of claim 11 or the claims depending therefrom. In particular, *Niemiec et al.* describes:

A blister card 202 is formed such that pockets 204 extend from a planar card 206. A thin layer of chemically inert dielectric material 208 is adhered to the planar card 206. Traces 210 forming the severable conductor 108 are then printed onto the dielectric layer 208. A second dielectric layer 212 may then be overlayed onto the first dielectric layer 208 and the traces 210. A breakable closure 104 may then be adhered to the second dielectric layer 212.

*Niemiec et al.*, column 5, lines 10-19.

As described by *Niemiec et al.*, the order of the layers is not the same as the order described in claim 11. The Office Action equates the first card to *Niemiec*'s blister card. Applicant does not contend this assertion; however, *Niemiec* then requires the layering of a dielectric material 208, traces 210 printed on the dielectric layer 208, an optional dielectric layer 212 overlayed onto the first dielectric layer and the traces 210, and a breakable closure 104 adhered to the second dielectric layer 212, in that order. As such, *Niemiec et al.* clearly fails to teach or suggest the ordering of layers expressly provided in claim 11, as currently presented.

Accordingly, Applicants submit that claim 11, as well as those claims depending therefrom, are now in condition for allowance over *Niemiec et al.* or any other cited reference, taken alone or in combination.

Responsive to the rejection of claims 1, 3-5, 19, and 20 under 35 USC §103(a) as being unpatentable over Williams-Hartman (US 7,188,728) in view of either one of Niemiec et al. (US 6,411,567) and Gordon (US 4,617,557) and additionally Johnstone et al. (US 6,047,829), Applicants have cancelled claims 1 and 3-5, rendering the rejection thereof moot. With respect to claims 19 and 20, such claims depend from claim 11. Given that claim 11 has not been rejected using this combination of references, Applicants submit that the rejection of claims 19 and 20 upon such grounds is improper. Thus, absent a further showing, Applicants submit that claims 19 and 20 are allowable over the cited references, taken alone or in combination.

#### **New claims**

Claims 21-27 are added hereby. Support for such claims may be found, for example, in Paragraphs [0028]-[0030].

Claims 21 and 22 depend from claim 11, which is allowable for the reasons set forth above, and set forth further distinct elements. As such, Applicants submit that claims 21 and 22 are in condition for allowance, the allowance of which is hereby respectfully requested.

Claim 23 sets forth, in part:

a metal foil backing attached directly to the first side of the blister card, the metal foil backing sealing each blister opening; and

a trace card mounted against the metal foil backing, the trace card carrying electrical circuitry and a dielectric circuit overlay, the dielectric circuit overlay covering the electrical circuitry, the dielectric circuit overlay being positioned between the metal foil backing and the electrical

circuitry ... (Emphasis added.)

Applicants submit that the subject matter of claim 23 is neither taught nor suggested by any of the cited prior art, whether taken alone or in combination, and is thus in condition for allowance.

Claims 24-27 depend from allowable claim 23 and set forth further distinct elements. As such, Applicants submit that such claims are in condition for allowance, the allowance of which is hereby respectfully requested.

### **Conclusion**

Applicants believe that the present application is in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If any fees are due in connection with the filing of this Amendment, please charge the fees to 132512. If a fee is required for and extension of time under CFR § 1.136 that is not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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